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11 Attorneys for Plaintiff

12 **ROBB EVANS OF ROBB EVANS & ASSOCIATES**
13 **LLC AS RECEIVER**

14 **UNITED STATES DISTRICT COURT**

15 **DISTRICT OF NEVADA**

16
17 ROBB EVANS OF ROBB EVANS &
18 ASSOCIATES LLC as Receiver for I Works,
Inc. and other entities as defined in the
19 Preliminary Injunction Order entered February
20 10, 2011, and over the assets of Jeremy
Johnson,

21 Plaintiff,

22 v.

23 ARVIN LEE BLACK, II, et al.,

24 Defendants.
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Case No. 2:12-CV-01860-RCJ-PAL

**STIPULATION TO EXTEND TIME TO
RESPOND TO COMPLAINT FOR
DEFENDANT BRENNAN SWAIN**

[First Request for Extension of Time]

1 This Stipulation to Extend Time to Return Waiver of Service of Summons and Respond to
 2 Complaint for Defendant Brennan Swain (“Stipulation”) is entered into by and among Robb
 3 Evans of Robb Evans & Associates LLC (“Plaintiff”), the Receiver over I Works, Inc. and over
 4 60 other named Defendant Entities, as well as unnamed subsidiaries and affiliates thereof, and
 5 over the assets of Jeremy Johnson, by and through his counsel, and defendant Brennan Swain
 6 (“Defendant”), with reference to the following facts:

7 RECITALS

8 A. The Plaintiff was appointed Temporary Receiver pursuant to a Temporary
 9 Restraining Order issued on January 13, 2011 in the civil enforcement action entitled Federal
 10 Trade Commission v. Jeremy Johnson, etc., et al., Case No. 2:10-cv-02203-MMD-GWF pending
 11 in the United States District Court for the District of Nevada. The Plaintiff became Permanent
 12 Receiver pursuant to a Preliminary Injunction Order issued on February 10, 2011.

13 B. On October 30, 2012, Plaintiff filed the Complaint in the above-captioned action.

14 C. On January 11, 2013, Plaintiff mailed a Notice of Lawsuit and Request for Waiver
 15 of Service of Summons to Defendant.

16 D. Defendant signed and returned the Waiver of Service of Summons.

17 E. Under Federal Rules of Civil Procedure Rule 4(d), Defendant was required to file
 18 a response to the Complaint no later than March 12, 2013.

19 F. Defendant has requested additional time to respond to the Complaint.

20 G. This Stipulation represents Defendant’s first request for an extension of time to
 21 respond to the Complaint.

22 NOW, THEREFORE, in consideration of the foregoing, the parties hereto do stipulate and
 23 agree as follows:

24 1. The deadline for the Defendant to respond to the Complaint shall be extended to
 25 and including March 18, 2013.

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1 WHEREFORE, the parties pray this Honorable Court endorse this Stipulation as outlined
2 herein and set forth below.

3
4 Dated: March 11, 2013

RANDOLPH L. HOWARD
KOLESAR & LEATHAM, CHTD.

MCKENNA LONG & ALDRIDGE LLP
GARY OWEN CARIS
LESLEY ANNE HAWES
ANGELA E. FONES

8
9 By: Angela E. Fones
Angela E. Fones

10 Attorneys for Receiver
11 **ROBB EVANS OF ROBB EVANS &**
12 **ASSOCIATES LLC**

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14
15 Dated: March ____, 2013

16 _____
Brennan Swain

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19 ORDER

20 IT IS SO ORDERED.

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23 DATED: _____

24 _____
ROBERT C. JONES
UNITED STATES CHIEF DISTRICT JUDGE

1 WHEREFORE, the parties pray this Honorable Court endorse this Stipulation as outlined
2 herein and set forth below.

3
4 Dated: March ____, 2013

RANDOLPH L. HOWARD
KOLESAR & LEATHAM, CHTD.

MCKENNA LONG & ALDRIDGE LLP
GARY OWEN CARIS
LESLEY ANNE HAWES
ANGELA E. FONES

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6
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8
9 By: _____
Angela E. Fones

10 Attorneys for Receiver
11 **ROBB EVANS OF ROBB EVANS &
ASSOCIATES LLC**

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15 Dated: March 16, 2013

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Brennan Swain

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19 ORDER

20 IT IS SO ORDERED.

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23 DATED: March 15, 2013

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ROBERT C. JONES
UNITED STATES CHIEF DISTRICT JUDGE

CERTIFICATE OF SERVICE

I am a citizen of the United States and employed in San Francisco County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 101 California Street, 41st Floor, San Francisco, California, 94111.

On March 11, 2013, I served the **STIPULATION TO EXTEND TIME TO RESPOND TO COMPLAINT FOR DEFENDANT BRENNAN SWAIN** upon the parties and/or counsel listed and by the methods indicated on the attached Service List.

I declare upon the penalty of perjury that the foregoing is true and correct, and that I am employed in the office of a member of the bar of this Court at whose direction the service was made. Executed on March 11, 2013, at San Francisco, California.

/s/ Camilla Glover
Camilla Glover

SERVICE LIST

The following CM/ECF participants were served by electronic means on March 11, 2013:

Gary Owen Caris gcaris@mckennalong.com, lhawes@mckennalong.com,
twaters@mckennalong.com

Lesley Anne Hawes lhawes@mckennalong.com, gcaris@mckennalong.com,
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Shlomo S. Sherman ssherman@klnevada.com, bbroussard@klnevada.com,
ckishi@klnevada.com, usdistrict@klnevada.com

The following non-CM/ECF participants were served by first-class mail, postage prepaid
on March 11, 2013:

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Tony Zockoll
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St. George, UT 84790